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6 Attorneys for Defendants  
7 WC Logistics, Inc. and  
AIT Worldwide Logistics, Inc.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

12 DEKEISHA LINDSEY, individually, and on  
13 behalf of other members of the general public  
similarly situated,

14 Plaintiff.

15 | V.

16 WC LOGISTICS, INC.; AIT WORLDWIDE  
17 LOGISTICS, INC; DOES 1 through 100,

#### Defendants.

CASE NO. 3:21-CV-08400-EMC

**JOINT STIPULATION AND ORDER TO  
CONTINUE THE HEARING DATE FOR  
THE MOTION TO REMAND, MOTION  
TO CONSOLIDATE AND INITIAL CASE  
MANAGEMENT CONFERENCE FROM  
JANUARY 20, 2022 TO FEBRUARY 3,  
2022**

20 Plaintiff Dekeisha Lindsey (“Plaintiff”) and Defendants WC Logistics, Inc. (“WC  
21 Logistics”) and AIT Worldwide Logistics, Inc. (“AIT”) (collectively “Defendants”), hereby file  
22 this Joint Stipulation and Proposed Order to Continue the Hearing Date for the Motion to Remand,  
23 Motion to Consolidate and Initial Case Management Conference (“Joint Stipulation”) from January  
24 20, 2022 to February 3, 2022, at the same date and time that Defendants’ motion to dismiss  
25 Plaintiff’s first amended complaint is scheduled to be heard. In support of this Joint Stipulation, the  
26 parties respectfully state as follows:

1       1. Plaintiff initially filed her Complaint in this action against Defendants in the  
 2 Superior Court of the State of California, County of Alameda (“Class Action Complaint”) on  
 3 August 16, 2021. Plaintiff simultaneously filed a complaint against Defendants in the Alameda  
 4 Superior Court under case number RG21109456 (“PAGA Complaint”) for enforcement under the  
 5 Private Attorneys General Act.

6       2. On October 28, 2021, Defendants removed the Class Action Complaint to the  
 7 District Court for the Northern District of California (“Northern District”). ECF No. 1. The related  
 8 PAGA action was also removed to the Northern District.

9       3. On November 4, 2021, Defendants filed a Motion to Dismiss Plaintiff’s Class  
 10 Action Complaint and PAGA Complaint in the Northern District. ECF No. 5.

11       4. On November 29, 2021, Plaintiff filed a First Amended Class Action Complaint and  
 12 First Amended PAGA Complaint in the Northern District. ECF No. 18.

13       5. On December 2, 2021, Defendants filed a Motion to Consolidate the Class Action  
 14 Complaint and the PAGA Complaint in this action. The Hearing on the Motion to Consolidate was  
 15 set for January 13, 2022. ECF No. 19.

16       6. On December 3, 2021, the Court ordered this action and the PAGA action (Case No.  
 17 3:12-cv-08466) related. ECF No. 20.

18       7. On December 13, 2021, Defendants filed a Motion to Dismiss Plaintiff’s First  
 19 Amended Class Action Complaint in this action. ECF No. 22. The Hearing on the Motion to  
 20 Dismiss is set for February 3, 2022.

21       8. On November 24, 2021, Plaintiff filed a Motion to Remand the Class Action  
 22 Complaint and the PAGA Complaint to state court. ECF No. 16. The Hearing on the Motion to  
 23 Remand the Class Action was set for January 6, 2022.

24       9. On November 24, 2021, the Clerk issued a notice rescheduling the Hearing on the  
 25 Motion to Remand the Class Action to January 13, 2022. ECF No. 17.

26       10. On December 15, 2021, Plaintiff independently re-noticed the Hearing on the  
 27 Motion to Remand the Class Action for January 20, 2022. ECF No. 23.

1       11. On December 21, 2021, the Clerk issued a Notice Rescheduling the Motion to  
2 Consolidate Hearing and the Initial Case Management Conference (“CMC”) from January 13, 2022  
3 to January 20, 2022. ECF No. 27.

4       12. At this time, the following hearings and conferences are set for January 20, 2022 at  
5 1:30 p.m.: Defendants’ Motion to Consolidate Hearing (ECF No. 27), Plaintiff’s Motion to Remand  
6 Hearing (ECF No. 23) and the CMC (ECF No. 27) (collectively the “Hearings”).

7       13. At this time, the following hearing is set for February 3, 2022 at 1:30 p.m.:  
8 Defendants’ Motion to Dismiss the Class Action Complaint (ECF No. 22).

9       14. Defendants’ two lead counsel in this case are unavailable for the hearings on January  
10 20, 2022, including because Ms. Walker-Probst will be engaged in a jury trial in Los Angeles  
11 County Superior Court and Ms. Adams is out of town due to a pre-scheduled engagement.

12       15. On December 28, 2021, the parties’ counsel met and conferred about the January  
13 20, 2022 and February 3, 2022 dates and have respectfully agreed, subject to the Court’s approval,  
14 to move the Hearings to February 3, 2022, which is also the date Defendants’ Motion to Dismiss  
15 the Class Action Complaint will be heard.

16       16. This request is not being sought to unreasonably delay this action. At this time, all  
17 of the motions are fully-briefed. The parties are not requesting an extension of the deadline to file  
18 the Case Management Conference Statement due in each action on January 13, 2022.

19       17. Additionally, the parties believe that this will promote judicial economy and  
20 efficiency in the disposition of these actions to hold all related hearings and conferences for these  
21 parties on the same date.

22       18. No prior requests for this relief have been made.

23       19. Therefore, based on the forgoing, the parties hereby respectfully stipulate and agree  
24 that: the Hearings and CMC currently scheduled for January 20, 2022 at 1:30 p.m. will be continued  
25 to February 3, 2022 at 1:30 p.m.

1 IT IS SO STIPULATED.

2 DATED: January 7, 2022

3 WOMBLE BOND DICKINSON (US) LLP

4 By: /s/ Nadia D. Adams  
5 Kristin Walker-Probst  
Nadia D. Adams

6

7 Attorneys for Defendants

8 DATED: January 7, 2022

9 LAWYERS FOR JUSTICE, PC

10 By: /s/ Tara Zabehi  
11 Edwin Aiwazian  
Arby Aiwazian  
Tara Zabehi

12 Attorneys for Plaintiff

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16 **ECF ATTESTATION**

17 In accordance with Civil Local Rule 5(i)(3), I, Nadia D. Adams, attest that I have obtained  
18 concurrence in the filing of this document from the other signatory listed here.

19

20 DATED: January 7, 2022

By: /s/ Nadia D. Adams  
Nadia D. Adams

1 PURSUANT TO STIPULATION, AND GOOD CAUSE SHOWN, IT IS SO ORDERED THAT:

2     1. The hearing on Defendants' Motion to Consolidate is continued from January 20, 2022 at  
3         1:30 p.m. to February 3, 2022 at 1:30 p.m.

4     2. The hearing on Plaintiff's Remand Hearing is continued from January 20, 2022 at 1:30 p.m.  
5         to February 3, 2022 at 1:30 p.m.

6     3. The Initial Case Management Conference is continued from January 20, 2022 at 1:30 p.m.  
7         to February 3, 2022 at 1:30 p.m.

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10 Date: January 12, 2022

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11 The Honorable Edward M. Chen,  
12 District Court Judge